

Executive Summary – Enforcement Matter – Case No. 45474

Weatherford U.S., L.P.

RN102586088

Docket No. 2012-2354-IWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Weatherford U.S., L.P., located approximately 0.75 mile west of U.S. Highway 290 and two miles east of Eldridge Road on Spencer Road, Houston, Harris County

Type of Operation:

Research and development facility with an associated wastewater treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 31, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$49,302

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$49,302

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

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Docket No. 2012-2354-IWD-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: August 16, 2012 - October 17, 2012 and October 22, 2012

Date(s) of NOE(s): November 7, 2012

Violation Information

1. Failed to comply with permitted effluent limits for Outfall No. 001 [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3, 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a)].
2. Failed to submit a notice of change and to obtain a permit amendment when a significant change in the quantity and/or quality of the existing discharge occurs [TPDES Permit No. WQ0004760000, Permit Conditions No. 4.d. and 30 TEX. ADMIN. CODE § 305.125(1)].
3. Failed to provide at least 20 minutes (based on peak flow) of detention time in the chlorine contact chamber [TPDES Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements No. 2 and 30 TEX. ADMIN. CODE § 305.125(1)].
4. Failed to install the flow measurement device in accordance with the Water Measurement Manual, U.S. Department of the Interior Bureau of Reclamation [TPDES Permit No. WQ0004760000, Operational Requirements No. 5 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(d)].
5. Failed to accurately complete the discharge monitoring reports ("DMRs") [TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.4].
6. Failed to submit noncompliance notifications for any effluent violation which deviates from the permitted effluent limitation by greater than 40% in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 7.c. and 30 TEX. ADMIN. CODE § 305.125(1)].
7. Failed to take remedial actions to ensure effluent quality would meet total copper limits prior to the final effluent limitations becoming effective [TPDES Permit No. WQ0004760000, Other Requirements No. 6 and 30 TEX. ADMIN. CODE § 305.125(1)].
8. Failed to timely submit the monthly DMRs by the 20th day of the following month for the months of July and August 2012 [TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(d)].

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9. Failed to obtain authorization to discharge wastewater into water in the state [TPDES Permit No. WQ0004760000, Other Requirements No. 8 and 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Respondent has implemented the following corrective measures:

- a. By October 19, 2012, submitted the monthly DMRs for the months of July and August 2012;
- b. By October 24, 2012, replaced the flow measurement device at the Facility;
- c. By December 10, 2012:
 - i. Updated the Facility's operational guidance and conducted employee training to ensure that self-reporting requirements are properly accomplished including the timely submittal of signed certified monthly DMRs, and written reports for effluent violations which deviate by more than 40% from the permitted limit; and
 - ii. Submitted revised DMRs for the period of May 2010 through June 2012.
- d. By December 13, 2012:
 - i. Submitted the noncompliance notifications for the ammonia nitrogen exceedance for the monitoring periods of January 2012 and July 2012; and
 - ii. Submitted an administratively complete application for a permit amendment for TPDES Permit No. WQ0004760000, to include any modifications to the collection system and any unauthorized storm water discharges.

Technical Requirements:

The Order will require Respondent to:

- a. Within 30 days:
 - i. Determine what the sources are for the high concentration of chemical oxygen demand and volatiles and semi-volatiles in the influent as indicated during the samples taken on October 26, 2011 and August 17, 2012 and submit a notice of change accordingly; and

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- ii. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing.
- b. Within 45 days, submit written certification of compliance with Ordering Provision a.
- c. Within 90 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0004760000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.
- d. Within 105 days, begin providing 20 minutes of detention time in the chlorine contact chamber.
- e. Within 120 days, submit written certification demonstrating compliance with Ordering Provision d.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Jorge Ibarra, P.E., Enforcement Division, Enforcement Team 3, MC R-04, (817) 588-5890; Debra Barber, Enforcement Division, MC 219, (512) 239-0412
TCEQ SEP Coordinator: N/A
Respondent: James L. Drone, Vice President and Assistant Secretary, Weatherford U.S., L.P., 11909 Spencer Road, Houston, Texas 77041
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	12-Nov-2012	Screening	19-Nov-2012	EPA Due	
	PCW	28-Mar-2013				

RESPONDENT/FACILITY INFORMATION

Respondent	Weatherford U.S., L.P.		
Reg. Ent. Ref. No.	RN102586088		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	45474	No. of Violations	10
Docket No.	2012-2354-IWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jorge Ibarra, P.E.
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$30,250**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **65.0%** Enhancement **Subtotals 2, 3, & 7** **\$19,662**

Notes: Enhancement for one order without denial of liability and eight months of self-reported effluent violations.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$1,137**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts \$5,889
Approx. Cost of Compliance \$76,050
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$48,775**

OTHER FACTORS AS JUSTICE MAY REQUIRE **1.1%** **Adjustment** **\$527**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with Violation No. 8.

Final Penalty Amount **\$49,302**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$49,302**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$49,302**

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	8	40%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 65%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one order without denial of liability and eight months of self-reported effluent violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 65%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 65%

Screening Date 19-Nov-2012

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PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 1

Rule Cite(s)

Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3, 30 Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)

Violation Description

Failed to comply with permitted effluent limits for Outfall No. 001. See attached Effluent Limit Violation Table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

A simplified model was used to evaluate ammonia nitrogen and carbonaceous biochemical oxygen demand ("CBOD") to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids, flow, pH, total copper, and chlorine residual were also considered. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 3

229 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,750

Three quarterly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Ordinary

N/A

Notes

Before NOV NOV to EDPRP/Settlement Offer

x

(mark with x)

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$3,842

Violation Final Penalty Total \$6,254

This violation Final Assessed Penalty (adjusted for limits) \$6,254

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50,000	1-Jan-2012	15-Jul-2013	1.54	\$3,842	n/a	\$3,842

Notes for DELAYED costs

Estimated cost to determine the cause of noncompliance and to make any necessary adjustment/repairs to the Facility to ensure compliance with permitted effluent limits. Date required is the first date of non-compliance; and the final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50,000

TOTAL

\$3,842

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 2

Rule Cite(s)

TPDES Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements No. 1, 30 Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)

Violation Description

Failed to comply with permitted effluent limits for Outfall No. 001. See attached Effluent Limit Violation Table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 30.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

A simplified model was used to evaluate ammonia nitrogen and CBOD to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids were also considered. As a result of these discharges, human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

31 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$7,500

One monthly event is recommended for the month of March 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$12,509

This violation Final Assessed Penalty (adjusted for limits) \$12,509

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See economic benefit for Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

TOTAL

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 3

Rule Cite(s)

TPDES Permit No. WQ0004760000, Permit Conditions No. 4.d. and 30 Tex. Admin. Code § 305.125(1)

Violation Description

Failed to submit a notice of change and to obtain a permit amendment when a significant change in the quantity and/or quality of the existing discharge occurs. Specifically, the investigator documented that influent varies significantly indicating that a very high organic load is coming into the Facility. Additionally, the influent samples collected on October 26, 2011 and August 17, 2012 contained a high concentration of chemical oxygen demand and a few volatiles and semi-volatiles which requires a permit amendment.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1

390 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,250

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$583

Violation Final Penalty Total \$2,085

This violation Final Assessed Penalty (adjusted for limits) \$2,085

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$7,500	26-Oct-2011	15-May-2013	1.55	\$583	n/a	\$583
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to apply for and obtain a permit amendment to address the significant change in the quantity and/or quality of the existing discharge and the high organic load coming into the Facility. Date required is the investigation date, and the final date is the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$7,500

TOTAL

\$583

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 4

Rule Cite(s)

TPDES Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements No. 2 and 30 Tex. Admin. Code § 305.125(1)

Violation Description

Failed to provide at least 20 minutes (based on peak flow) of detention time in the chlorine contact chamber. Specifically, a dye test conducted on September 19, 2012 indicated that there was 34 seconds of detention time at a flow of 0.01 million gallons per day ("MGD") to 0.021 MGD. The daily average flow limit is 0.0108 MGD and the daily maximum flow is 0.0432 MGD.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide 20 minutes of detention time in the chlorine contact chamber could result in the release of significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1

61 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$1,250

One quarterly event is recommended from the date the dye test was conducted, September 19, 2012, to the screening date of November 19, 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$519

Violation Final Penalty Total \$2,085

This violation Final Assessed Penalty (adjusted for limits) \$2,085

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment	\$5,000	19-Sep-2012	1-Aug-2013	0.87	\$14	\$289	\$303
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	19-Sep-2012	1-Aug-2013	0.87	\$216	n/a	\$216

Notes for DELAYED costs

Estimated cost to provide 20 minutes of detention time in the chlorine contact chamber, including any equipment needed. Dates required are the investigation date; final dates are the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$519

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 5

Rule Cite(s)

TPDES Permit No. WQ0004760000, Operational Requirements No. 5 and 30 Tex. Admin. Code §§ 305.125(1) and 319.11(d)

Violation Description

Failed to install the flow measurement device in accordance with the Water Measurement Manual, United States Department of the Interior Bureau of Reclamation. Specifically, the two staff gauges on the weir box were not installed 4-6 times the measuring head upstream from the center of the weir blade. Additionally, the gauges were measuring a one inch difference from each other.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 3.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to properly install the flow measurement device could result in the release of insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$24,250

\$750

Violation Events

Number of Violation Events 1

94 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$750

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$187

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance by October 24, 2012 for this violation.

Violation Subtotal \$563

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$1,062

This violation Final Assessed Penalty (adjusted for limits) \$1,062

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	17-Aug-2012	24-Oct-2012	0.19	\$5	n/a	\$5

Notes for DELAYED costs

Estimated cost to replace the flow measurement device(s) at the Facility and ensure that it is operating properly. Date required is the investigation date; final date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$5

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 6

Rule Cite(s)

TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 Tex. Admin. Code §§ 305.125(1) and 319.4

Violation Description

Failed to accurately complete the discharge monitoring reports ("DMRs"). Specifically, the operation logs and the DMRs indicated daily flow meter readings of 0.0007 MGD rather than the flow data recorded during sampling.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

More than 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 26

26 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$6,500

Twenty-six single events are recommended, one for each DMR.

Good Faith Efforts to Comply

10.0% Reduction

\$650

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		(mark with x)

Notes

The Respondent achieved compliance by December 10, 2012 for this violation.

Violation Subtotal \$5,850

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$84

Violation Final Penalty Total \$10,184

This violation Final Assessed Penalty (adjusted for limits) \$10,184

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	17-Aug-2012	10-Dec-2012	0.32	\$4	n/a	\$4
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$650	20-Jun-2010	10-Dec-2012	2.48	\$80	n/a	\$80

Notes for DELAYED costs

Estimated cost to update the Facility's operational guidance and conduct employee training to ensure that all reporting procedures are properly accomplished (\$250) and to properly prepare and submit the revised DMRs (\$25 per DMR). Dates required are the date the first DMR was due and the investigation date, and the final dates are the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$900

TOTAL

\$84

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 7

Rule Cite(s) TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 7.c. and 30 Tex. Admin. Code § 305.125(1)

Violation Description

Failed to submit noncompliance notifications for any effluent violation which deviates from the permitted effluent limitation by greater than 40% in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, the noncompliance notifications for the ammonia nitrogen exceedances were not submitted for the monitoring periods of January 2012 and July 2012.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

2

2

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,500

Two single events are recommended, one for each notification not submitted.

Good Faith Efforts to Comply

10.0% Reduction

\$250

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		(mark with x)

Notes

The Respondent achieved compliance by December 13, 2012 for this violation.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$3,917

This violation Final Assessed Penalty (adjusted for limits) \$3,917

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	5-Feb-2012	13-Dec-2012	0.85	\$4	n/a	\$4

Notes for DELAYED costs

Estimated cost to submit the required noncompliance notifications (\$50 per notification). Date required is the date the first noncompliance notification was due, and the final date is the compliance date. The cost for training is included in the economic benefit for violation no. 6.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$4

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 8

Rule Cite(s)

TPDES Permit No. WQ0004760000, Other Requirements No. 6 and 30 Tex. Admin. Code § 305.125(1)

Violation Description

Failed to take remedial actions to ensure effluent quality would meet total copper limits prior to the final effluent limitations becoming effective.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to sufficiently address the cause of noncompliance, to report any remedial actions taken, and to report the probability of meeting the next scheduled requirement when the copper permitted limits are not met could result in the release of significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

	1	62	Number of violation days
mark only one with an x	daily		
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

Violation Base Penalty \$1,250

One quarterly event is recommended from the progress report date of July 1, 2012, to the date the limits became effective, September 1, 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$527

Violation Final Penalty Total \$2,085

This violation Final Assessed Penalty (adjusted for limits) \$2,085

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	\$500	1-Jul-2012	1-Sep-2012	1.09	\$27	\$500	\$527

Notes for AVOIDED costs

Estimated cost to begin sufficiently addressing the cause of noncompliance, to begin reporting any remedial actions taken, and to begin reporting the probability of meeting the scheduled requirement when the copper permitted limits for outfall 001 are not met at the Facility. Date required is the date of the progress report, and the final date is the date the limits became effective.

Approx. Cost of Compliance \$500

TOTAL \$527

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 9

Rule Cite(s)

TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 Tex. Admin. Code §§ 305.125(1) and 319.7(d)

Violation Description

Failed to timely submit the monthly DMRs by the 20th day of the following month for the months of July and August 2012.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

More than 70% of the rule requirement was met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 2

60 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

Two single events are recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$50

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		(mark with x)

Notes

The Respondent achieved compliance by December 10, 2012 for this violation.

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$783

This violation Final Assessed Penalty (adjusted for limits) \$783

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	20-Aug-2012	19-Oct-2012	0.16	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit the required DMRs (\$25 per DMR). Date required is the date the first noncompliance notification was due, and the final date is the date of compliance. The cost for training is included in the economic benefit for Violation No. 6.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$0

Screening Date 19-Nov-2012

Docket No. 2012-2354-IWD-E

PCW

Respondent Weatherford U.S., L.P.

Policy Revision 3 (September 2011)

Case ID No. 45474

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN102586088

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 10

Rule Cite(s) TPDES Permit No. WQ0004760000, Other Requirements No. 8 and 30 Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)(1)

Violation Description

Failed to obtain authorization to discharge wastewater into water in the state. Specifically, contaminated storm water discharges from the eastern and western side of the Facility through storm water pipes during rain events. Additionally, some contaminated storm water on the eastern side of the property is not contained nor routed through any storm water pipe and can sheet flow off the eastern side of the facility during rainfall events.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 4

94 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$5,000

Four monthly events are recommended from the investigation date of August 17, 2012 to the screening date of November 19, 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$5,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$323

Violation Final Penalty Total \$8,339

This violation Final Assessed Penalty (adjusted for limits) \$8,339

Economic Benefit Worksheet

Respondent Weatherford U.S., L.P.
Case ID No. 45474
Reg. Ent. Reference No. RN102586088
Media Water Quality
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$6,500	17-Aug-2012	15-Aug-2013	0.99	\$323	n/a	\$323
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit a permit amendment application to include storm water discharges. Date required is the investigation date, and the final date is the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$6,500

TOTAL \$323

Weatherford U.S., L.P.
RN102586088, Case No. 45474, TPDES Permit No. WQ0004760000
Docket No. 2012-2354-IWD-E

	January 2012	February 2012	March 2012	April 2012	May 2012	July 2012	August 17, 2012*	August 2012	September 2012
CBOD Daily Avg. Conc. (Limit = 10 mg/L)	c	c	10.2	c	c	c	c	c	c
CBOD Daily Avg. Loading (Limit = 0.9 lbs/day)	c	c	1.01	c	c	c	c	c	c
CBOD Daily Max. Loading (Limit = 2.2 lbs/day)	c	c	2.99	2.37	c	c	c	c	c
Cl2 Residual Min. Conc. (Limit = 1 mg/L)	c	c	c	c	c	0.18	c	c	c
Flow Daily Avg. (Limit = 0.0108 MGD)	c	c	c	c	c	0.0144	c	c	c
Flow Daily Max. (Limit = 0.0432 MGD)	c	c	c	c	c	1171	c	c	c
NH3N Daily Avg. Conc. (Limit = 2 mg/L)	6.33	c	11.42	4.15	c	2.7	c	5	10
NH3N Daily Avg. Loading (Limit = 0.18 lbs/day)	c	c	0.65	0.34	c	0.28	c	c	0.35
NH3N Daily Max. Conc. (Limit = 10 mg/L)	27	c	29.3	10.5	c	c	12.5	16	23
NH3N Daily Max. Loading (Limit = 0.9 lbs/day)	c	c	4.69	3.15	c	2	c	c	0.97
TSS Daily Avg. Conc. (Limit = 15 mg/L)	c	21.7	19.3	39	15.2	c	c	c	53
TSS Daily Avg. Loading (Limit = 1.4 lbs/day)	c	1.42	1.93	8.81	c	c	c	c	1.9
TSS Daily Max. Conc. (Limit = 40 mg/L)	c	51	c	108	c	c	c	c	91
TSS Daily Max. Loading (Limit = 3.6 lbs/day)	c	4.25	3.95	32.43	c	c	c	c	c
pH Min. (Limit = 6 su)	c	c	c	c	c	c	3.55	c	c
Total Copper Daily Avg. Loading (Limit = 0.002 lbs/day)	c	c	c	c	c	c	c	c	0.00288
Total Copper Daily Avg. Conc. (Limit = 0.023 mg/L)	c	c	c	c	c	c	c	c	0.0723
Total Copper Daily Max. Loading (Limit = 0.004 lbs/day)	c	c	c	c	c	c	c	c	0.0051
Total Copper Daily Max. Conc. (Limit = 0.049 mg/L)	c	c	c	c	c	c	c	c	0.13

MGD = million gallons per day lbs/day = pounds per day mg/L = milligrams per liter
c = compliant Conc. = concentration Avg. = Average Max. = maximum Min. = Minimum
NH3N = ammonia nitrogen Cl2 = chlorine TSS = total suspended solids
CBOD = carbonaceous biochemical oxygen demand su = standard units
* = indicates a grab sample collected during the investigation



Compliance History Report

PUBLISHED Compliance History Report for CN600288302, RN102586088, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator: CN600288302, Weatherford U.S., L.P.

Classification: SATISFACTORY

Rating: 3.28

Regulated Entity: RN102586088, WEATHERFORD US

Classification: SATISFACTORY

Rating: 5.47

Complexity Points: 12

Repeat Violator: NO

CH Group: 14 - Other

Location: Located approximately 0.75 miles west of U.S. Highway 290 and two miles east of Eldridge Road on Spencer Road, HOUSTON, TX 77041-3000, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1011850

WASTEWATER EPA ID TX0089940

WASTEWATER PERMIT WQ0014070001

WASTEWATER PERMIT WQ0004760000

WASTEWATER EPA ID TX0089940

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD102692241

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 38164

Compliance History Period: September 01, 2007 to August 31, 2012

Rating Year: 2012

Rating Date: 09/01/2012

Date Compliance History Report Prepared: January 23, 2013

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 23, 2008 to January 23, 2013

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Jorge Ibarra, P.E.

Phone (817) 588-5890

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
Weatherford U.S., L.P., OWNER, 1/1/1800 to 2/8/2010
- 5) If YES, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 11/27/2009 ADMINORDER 2009-0865-IWD-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	February 13, 2008	(675662)
Item 2	March 14, 2008	(675663)
Item 3	April 17, 2008	(675664)
Item 4	May 18, 2008	(693980)
Item 5	June 16, 2008	(693981)
Item 6	July 16, 2008	(693982)
Item 7	August 15, 2008	(715320)
Item 8	September 23, 2008	(715321)
Item 9	October 17, 2008	(715322)
Item 10	February 20, 2009	(754406)
Item 11	March 21, 2009	(754407)
Item 12	April 20, 2009	(754408)
Item 13	May 20, 2009	(771668)
Item 14	June 13, 2009	(771669)
Item 15	July 24, 2009	(928686)
Item 16	August 21, 2009	(928687)
Item 17	September 22, 2009	(928688)
Item 18	October 20, 2009	(815079)
Item 19	November 18, 2009	(815080)
Item 20	December 17, 2009	(815081)
Item 21	January 07, 2010	(815082)
Item 22	February 05, 2010	(788622)
Item 23	May 15, 2010	(834485)
Item 24	June 12, 2010	(847380)
Item 25	July 17, 2010	(861816)
Item 26	August 18, 2010	(868240)
Item 27	September 17, 2010	(875152)
Item 28	October 16, 2010	(882767)
Item 29	November 13, 2010	(889170)
Item 30	December 18, 2010	(897549)
Item 31	February 17, 2011	(910355)
Item 32	March 19, 2011	(917567)
Item 33	April 17, 2011	(928685)
Item 34	May 18, 2011	(939278)
Item 35	June 16, 2011	(946683)
Item 36	July 15, 2011	(953941)
Item 37	August 19, 2011	(960534)
Item 38	September 19, 2011	(966592)
Item 39	October 19, 2011	(972604)
Item 40	November 17, 2011	(978748)
Item 41	December 20, 2011	(985584)
Item 42	January 18, 2012	(991864)
Item 43	July 18, 2012	(1032807)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	01/31/2012	(999229)	CN600288302	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			
2	Date:	02/29/2012	(1004738)	CN600288302	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			

3	Date: 03/31/2012 (1011322)	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
4	Date: 04/30/2012 (1017681)	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
5	Date: 05/31/2012 (1025469)	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
6	Date: 07/31/2012	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
7	Date: 08/31/2012	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
8	Date: 09/30/2012	CN600288302	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WEATHERFORD U.S., L.P.
RN102586088**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2012-2354-IWD-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Weatherford U.S., L.P. ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a research and development facility with an associated wastewater treatment plant located approximately 0.75 mile west of United States Highway 290 and two miles east of Eldridge Road on Spencer Road in Houston, Harris County, Texas (the "Facility").
2. The Respondent has discharged industrial waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During an investigation on August 16, 2012 through October 17, 2012 and a record review conducted on October 22, 2012, TCEQ staff documented that the Respondent did not comply with permitted effluent limits for Outfall No. 001 as shown in the table below:

Weatherford U.S., L.P.
RN102586088, Case No. 45474, TPDES Permit No. WQ0004760000
Docket No. 2012-2354-IWD-E

	January 2012	February 2012	March 2012	April 2012	May 2012	July 2012	August 17, 2012*	August 2012	September 2012
CBOD Daily Avg. Conc. (Limit = 10 mg/L)	c	c	10.2	c	c	c	c	c	c
CBOD Daily Avg. Loading (Limit = 0.9 lbs/day)	c	c	1.01	c	c	c	c	c	c
CBOD Daily Max. Loading (Limit = 2.2 lbs/day)	c	c	2.99	2.37	c	c	c	c	c
Cl2 Residual Min. Conc. (Limit = 1 mg/L)	c	c	c	c	c	0.18	c	c	c
Flow Daily Avg. (Limit = 0.0108 MGD)	c	c	c	c	c	0.0144	c	c	c
Flow Daily Max. (Limit = 0.0432 MGD)	c	c	c	c	c	1171	c	c	c
NH3N Daily Avg. Conc. (Limit = 2 mg/L)	6.33	c	11.42	4.15	c	2.7	c	5	10
NH3N Daily Avg. Loading (Limit = 0.18 lbs/day)	c	c	0.65	0.34	c	0.28	c	c	0.35
NH3N Daily Max. Conc. (Limit = 10 mg/L)	27	c	29.3	10.5	c	c	12.5	16	23
NH3N Daily Max. Loading (Limit = 0.9 lbs/day)	c	c	4.69	3.15	c	2	c	c	0.97
TSS Daily Avg. Conc. (Limit = 15 mg/L)	c	21.7	19.3	39	15.2	c	c	c	53
TSS Daily Avg. Loading (Limit = 1.4 lbs/day)	c	1.42	1.93	8.81	c	c	c	c	1.9
TSS Daily Max. Conc. (Limit = 40 mg/L)	c	51	c	108	c	c	c	c	91
TSS Daily Max. Loading (Limit = 3.6 lbs/day)	c	4.25	3.95	32.43	c	c	c	c	c
pH Min. (Limit = 6 su)	c	c	c	c	c	c	3.55	c	c
Total Copper Daily Avg. Loading (Limit = 0.002 lbs/day)	c	c	c	c	c	c	c	c	0.00288
Total Copper Daily Avg. Conc. (Limit = 0.023 mg/L)	c	c	c	c	c	c	c	c	0.0723
Total Copper Daily Max. Loading (Limit = 0.004 lbs/day)	c	c	c	c	c	c	c	c	0.0051
Total Copper Daily Max. Conc. (Limit = 0.049 mg/L)	c	c	c	c	c	c	c	c	0.13

MGD = million gallons per day lbs/day = pounds per day mg/L = milligrams per liter
c = compliant Conc. = concentration Avg. = Average Max. = maximum Min. = Minimum
NH3N = ammonia nitrogen Cl2 = chlorine TSS = total suspended solids
CBOD = carbonaceous biochemical oxygen demand su = standard units
* = indicates a grab sample collected during the investigation

4. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not submit a notice of change and did not obtain a permit amendment when a significant change in the quantity and/or quality of the existing discharge occurs. Specifically, influent varies significantly indicating that a very high organic load is coming into the Facility. Additionally, the influent samples collected on October 26, 2011 and August 17, 2012 contained a high concentration of chemical oxygen demand and a few volatiles and semi-volatiles which requires a permit amendment.
5. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not provide at least 20 minutes (based on peak flow) of detention time in the chlorine contact chamber. Specifically, a dye test conducted on September 19, 2012 indicated that there was 34 seconds of detention time at a flow of 0.01 MGD to 0.021 MGD. The daily average flow limit is 0.0108 MGD and the daily maximum flow is 0.0432 MGD.
6. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not install the flow measurement device in accordance with the Water Measurement Manual, United States Department of the Interior Bureau of Reclamation. Specifically, the two staff gauges on the weir box were not installed 4-6 times the measuring head upstream from the center of the weir blade. Additionally, the gauges were measuring a one inch difference from each other.
7. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not accurately complete the discharge monitoring reports ("DMRs"). Specifically, the operation logs and the DMRs indicated daily flow meter readings of 0.0007 MGD rather than the flow data recorded during sampling.
8. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not submit noncompliance notifications for any effluent violation which deviates from the permitted effluent limitation by greater than 40% in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, the noncompliance notifications for the ammonia nitrogen exceedances were not submitted for the monitoring periods of January 2012 and July 2012.
9. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not take remedial actions to ensure effluent quality would meet total copper limits prior to the final effluent limitations becoming effective.
10. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that the Respondent did not timely submit the monthly DMRs by the 20th day of the following month for the months of July and August 2012.
11. During an investigation on August 16, 2012 through October 17, 2012, TCEQ staff documented that contaminated storm water discharges from the eastern and western

side of the Facility through storm water pipes during rain events. Additionally, some contaminated storm water on the eastern side of the property is not contained nor routed through any storm water pipe and can sheet flow off the eastern side of the facility during rainfall events.

12. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. By October 19, 2012, submitted the monthly DMRs for the months of July and August 2012;
 - b. By October 24, 2012, replaced the flow measurement device at the Facility;
 - c. By December 10, 2012:
 - i. Updated the Facility's operational guidance and conducted employee training to ensure that self-reporting requirements are properly accomplished including the timely submittal of signed certified monthly DMRs, and written reports for effluent violations which deviate by more than 40% from the permitted limit; and
 - ii. Submitted revised DMRs for the period of May 2010 through June 2012.
 - d. By December 13, 2012:
 - i. Submitted the noncompliance notifications for the ammonia nitrogen exceedance for the monitoring periods of January 2012 and July 2012; and
 - ii. Submitted an administratively complete application for a permit amendment for TPDES Permit No. WQ0004760000, to include any modifications to the collection system and any unauthorized storm water discharges, in accordance with 30 TEX. ADMIN CODE ch. 305.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Water Code chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with permitted effluent limits for Outfall No. 001, in violation of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements Nos. 1, 2, and 3, 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a).

3. As evidenced by Findings of Fact No. 4, the Respondent failed to submit a notice of change and to obtain a permit amendment when a significant change in the quantity and/or quality of the existing discharge occurs, in violation of TPDES Permit No. WQ0004760000, Permit Conditions No. 4.d. and 30 TEX. ADMIN. CODE § 305.125(1).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to provide at least 20 minutes (based on peak flow) of detention time in the chlorine contact chamber, in violation of TPDES Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements No. 2 and 30 TEX. ADMIN. CODE § 305.125(1).
5. As evidenced by Findings of Fact No. 6, the Respondent failed to install the flow measurement device in accordance with the Water Measurement Manual, United States Department of the Interior Bureau of Reclamation, in violation of TPDES Permit No. WQ0004760000, Operational Requirements No. 5 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.11(d).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to accurately complete the discharge monitoring reports DMRs, in violation of TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.4.
7. As evidenced by Findings of Fact No. 8, the Respondent failed to submit noncompliance notifications for any effluent violation which deviates from the permitted effluent limitation by greater than 40% in writing to the Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 7.c. and 30 TEX. ADMIN. CODE § 305.125(1).
8. As evidenced by Findings of Fact No. 9, the Respondent failed to take remedial actions to ensure effluent quality would meet total copper limits prior to the final effluent limitations becoming effective, in violation of TPDES Permit No. WQ0004760000, Other Requirements No. 6 and 30 TEX. ADMIN. CODE § 305.125(1).
9. As evidenced by Findings of Fact No. 10, the Respondent failed to timely submit the monthly DMRs by the 20th day of the following month for the months of July and August 2012, in violation of TPDES Permit No. WQ0004760000, Monitoring and Reporting Requirements No. 1 and 30 TEX. ADMIN. CODE §§ 305.125(1) and 319.7(d).
10. As evidenced by Findings of Fact No. 11, the Respondent failed to obtain authorization to discharge wastewater into water in the state, in violation of TPDES Permit No. WQ0004760000, Other Requirements No. 8 and 30 TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a).
11. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code

and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

12. An administrative penalty in the amount of Forty-Nine Thousand Three Hundred Two Dollars (\$49,302) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Forty-Nine Thousand Three Hundred Two Dollar (\$49,302) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Forty-Nine Thousand Three Hundred Two Dollars (\$49,302) as set forth in Section II, Paragraph 12 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Weatherford U.S., L.P., Docket No. 2012-2354-IWD-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Determine what the sources are for the high concentration of chemical oxygen demand and volatiles and semi-volatiles in the influent as indicated during the samples taken on October 26, 2011 and August 17, 2012 and submit a notice of change accordingly, in accordance with TPDES Permit No. WQ0004760000, Permit Conditions; and
 - ii. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application within 30 days after the date of such requests or by any other deadline specified in writing.

- b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision Nos. 2.a. as described in Ordering Provision No. 2.e. below;
- c. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0004760000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations as described in Ordering Provision No. 2.e. below;
- d. Within 105 days after the effective date of this Agreed Order, begin providing 20 minutes of detention time in the chlorine contact chamber, in accordance with TPDES Permit No. WQ0004760000, Effluent Limitations and Monitoring Requirements; and
- e. Within 120 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records certifying that a permit amendment has been obtained and with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1)

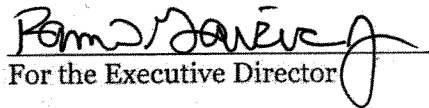
enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

7/19/13
Date

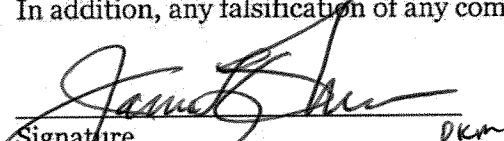
I, the undersigned, have read and understand the attached Agreed Order in the matter of Weatherford U.S., L.P. I am authorized to agree to the attached Agreed Order on behalf of Weatherford U.S., L.P., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Weatherford U.S., L.P. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature DKM
JAMES L. DRME
Name (Printed or typed)
Authorized Representative of
Weatherford U.S., L.P.

April 10, 2013
Date
Vice President and Assistant Secretary
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.